

## REMARKS

### Status of the Claims

#### *Pending claims*

Claims 1 to 83 as filed are pending.

### The Restriction Requirement

The Patent Office has alleged that the pending claims of the application are directed to three separate and distinct inventions under 35 U.S.C. §121:

Group I: Claims 1 to 57 and 82 to 83, drawn to a modified biological molecule, an article comprising an array, a kit and a method of making a biological molecule and an article.

Group II: Claims 58 and 59 drawn to a method for identifying a specific binding partner.

Group III: Claims 60 to 81 drawn to a method of generating a molecular profile.

### The Election

In response to the Restriction Requirement, Applicants elect Group I, claims 1 to 57 and 82 to 83, drawn to a modified biological molecule, an article comprising an array, a kit and a method of making a biological molecule and an article.

### Rejoinder of methods claims

Applicants respectfully request that, after the elected product claims (an article comprising an array) have been found to be allowable, all withdrawn process claims (methods of Groups I and II) which depend from or otherwise include all of the limitations of the allowed product claims be rejoined. MPEP §821.04; pg 800-63, 8th Edition, August 2001; In re Ochiai, 37 USPQ2d 1127 (Fed. Cir. 1995); In re Brouwer, 37 USPQ2d 1663 (Fed. Cir. 1995); 1184 OG 86, 3/26/96.

Applicant believes that no fee is required for submission of this Response. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 06-1050. Please credit any overpayment to the above-noted

Applicant : Bradley et al.  
Serial No. : 09/853,343  
Filed : May 10, 2001  
Page : 3

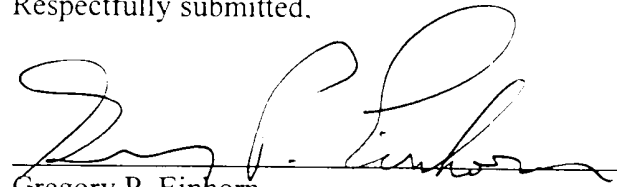
Attorney's Dock No.: 11635-005001 / OTA 00-43

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858 678 5070.

Respectfully submitted,

Date:

Feb. 5, 2002



Gregory P. Einhorn  
Reg. No. 38,440

Fish & Richardson P.C.  
4350 La Jolla Village Drive, Suite 500  
San Diego, California 92122  
Telephone: (858) 678-5070  
Facsimile: (858) 678-5099

10162584.doc